

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA., et al.

Plaintiff,

25-cv-3656 (PKC)

-against-

ORDER

STATE OF NEW YORK, et al.

Defendants.
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CASTEL, U.S.D.J.

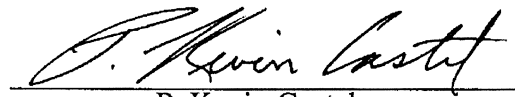
This action was commenced on May 1, 2025. In a letter dated July 2, 2025 (ECF 33), plaintiff seeks to move for summary judgment under Rule 56, Fed. R. Civ. P., before discovery has commenced. A district court is empowered to determine “the appropriateness and timing of summary adjudication under Rule 56” under the authority of Rule 16(c)(2)(E).

Pursuant to that authority, plaintiff is directed to respond by July 10, 2025 (in a filing on ECF) to the following inquiries:

1. What are the material facts that plaintiff contends are not in dispute that are necessary for plaintiff to establish in order for it to prevail?
2. Is this an action in which the parties may properly demand a jury, or is this an action triable to the Court?

Defendants’ time to respond to the pre-motion letter, including plaintiff’s supplemental submission in response to this Order, is extended to July 16, 2025.

SO ORDERED.

A handwritten signature in black ink, reading "P. Kevin Castel", written over a horizontal line.

P. Kevin Castel
United States District Judge

Dated: New York, New York
July 2, 2025